

MINUTES
CEDAR VALLEY DISTRIBUTION SYSTEM

Monday, February 26, 1990
7:05 P.M.

This meeting was called to order by Chairman Brent Jones. He then asked Secretary LaRee Garfield to read the Minutes of the 1989 meeting. The Minutes were read, and Chairman Jones called for a discussion of the Minutes. It appearing that there was none, he called for a motion to approve the Minutes as read. Joe Melling moved that the Minutes be approved as read; Thelmer Stratton seconded; Minutes approved as read.

Chairman Jones then asked Lee Sim from the State Division of Water Rights to discuss the 1989 Financial Statement. Mr. Sim said that we started the year with \$7,009.92. We collected \$8,386.79 in regular assessments, \$166.44 in delinquent penalties, interest earned in the amount of \$579.54, for total receipts in the amount of \$9,132.77. Our expenditures totaled \$8,524.43, and our balance as of December 31, 1989 was \$7,618.26. Mr. Sim then itemized the 1989 budget expenditures. He said that we went over our budget in travel and bonding expense, but the total budget showed a \$165.57 balance.

Mr. Sim stated that the delinquent accounts are very small except for Houston Investors and North Field. Rue Gene Rollo stated that the North Field account has been paid. Rue Gene also asked that his address be updated to 2303 West 4000 North. Mr. Sim stated that the State will follow up on the Houston account, and hopefully, the others will come in this year. Bud Bauer said that the wells on the Bauer account have not been pumped for years, and Leonard Ashdown doesn't even have a well and is being billed \$11.44. Mr. Sim said that he will check on these two matters. Chairman Jones then called for a motion to approve the Financial Report. Clemont Adams so moved; Bud Garfield seconded; motion carried.

Chairman Jones then asked Andy Earle, Water Commissioner, to give his Commissioner's Report. Mr. Earle stated that in 1989, both the water table and the stream flow were down from preceding years. The stream flow was approximately 10,600 acre feet, down from last year's flow of 32,000 acre feet. Coal Creek peaked on April 9 at a flow of approximately 125 second feet, down from the 1988 peak of 680 second feet. Yearly weather patterns produced only 57% of average precipitation at the airport. The weather in July created the infamous flood which plunged from Cedar Canyon and Fiddler's Canyon, leaving great damage in its path. The wells were, again, read eight times, requiring a total of 1,854 miles of travel. The control of Coal Creek required 1,128 miles of travel, with 289 trips to divide the water. An accurate mapping of the water well locations was made using U.S.G.S. Topographic maps. There has also been an extensive revision of the water report made this year, and the accounts have been updated. Also, the format has been changed to more closely resemble older reports. Chairman Jones then called for a motion to approve the Commissioner's Report. Bud Garfield so moved; Thelmer Stratton seconded; motion carried.

Mr. Sim then stated that it was necessary to prepare a budget for 1990. He said that Social Security has gone up and retirement has gone down and will about offset each other. Clemont asked if we used the same assessment as we used in 1989, if we went over the budget a little, could funds be used from the trust account, and Mr. Sim answered in the affirmative. Clemont moved that the assessment remain the same as it was in 1989; Thelmer seconded; motion carried.

Mr. Sim then talked about the assessment made in 1988. Apparently, in 1987, an error was made in the Commissioner's Report on water used by East Extension and North Field. The report showed that they used twice as much water as was actually used, and these companies were assessed more, and the other companies were assessed less. An adjustment to take care of this error will be made this year. South and West Field will be assessed an additional \$86.00; Cedar City, \$132.00; East Extension, a credit of \$314.00; North Field, a credit of \$314.00; Union Field, \$85.00; Old Field, \$8.00; North West Field, \$45.00; and Coal Creek \$270.00.

Mr. Sim said that at the end of March, a Commissioner's Seminar will be held. He asked that we allocate money to pay for our Commissioner's travel expense. It can be taken out of our miscellaneous fund if we so desire. They will discuss standardizing the Commissioner's Report and will give training to the Commissioners. Bud Bauer moved that the expenses for travel for the seminar come out of the reserve fund; Clemont seconded; motion carried.

Chairman Jones stated that it was necessary to appoint a new Commissioner. Bud Bauer nominated Mel Baldwin; Elmo Heap seconded the nomination. Clemont asked if Mr. Earle would be available to serve, and Mr. Earle said that he had applied for a job with the FAA which he will take if it is offered to him. Clemont then nominated Neil Adams; Rod Brady seconded the nomination. Gene Roundy suggested that we not write off Mr. Earle, as he has done a good job in updating the information and compiling his report. Rue Gene Rollo moved that nominations cease and that we proceed to vote; Keith Lambeth seconded. Chairman Jones asked in what manner we would like to vote. Bud Garfield moved that we vote by secret ballot; Joe Melling seconded; motion carried. Bud Garfield asked for a point of clarification as to whether Mr. Earle had been nominated and if he would be able to continue in the position of Commissioner. Also, should we vote for a first and second choice to replace him should he get the job with FAA and not be able to act as Commissioner. A discussion then followed as to how many votes each water user should have. Clemont said that every water user should have one vote. Bud Bauer said that the larger water users should have more say than the smaller users. Clemont said that the way the system was set up some 25 or 30 years ago seems to be more equitable wherein every water user, regardless of size, had one vote. Gene Roundy then moved that Andrew Earle's name be added to the ballot. Keith Lambeth said that nominations had been closed and therefore, no other nominations could be made. Bud Garfield said that what we would have to do is reopen nominations in order for a name to be added to the ballot. Bud Bauer asked Mr. Earle if he wanted to serve, and Mr. Earle answered that he would be happy to have the job and that he would do a good job for the system. Gene Roundy then nominated Andrew Earle; Thelmer Stratton seconded. Paul Nelson moved that nominations cease; Joe Melling seconded; motion carried. Chairman Jones then named the candidates in order of their nomination, and they are: Mel Baldwin, Neil Adams, and Andrew Earle. Chairman Jones then asked that Gaylen Brown and Worth Grimshaw count the votes. Bud Garfield asked how a Commissioner is replaced if the one voted in was not able to serve out the remainder of his

term, and Chairman Jones answered that the Board would meet and recommend a new Commissioner. Mr. Grimshaw then announced that Mel Baldwin had been elected as the new Commissioner. Joe Melling moved that the ballots be destroyed; Carl Nelson seconded; motion carried. Mr. Sim commented that with our vote, we have recommended to the State that Mel Baldwin be the Commissioner. The State will review the recommendation and officially appoint a new Commissioner.

Chairman Jones said that it is necessary to elect a new Chairman and three board members. Rue Gene Rollo moved that the present Chairman and Board be retained; Thelmer Stratton seconded; motion carried. The Chairman and Board members are as follows: Brent Jones, Chairman, Bud Garfield, Howard Nelson and George Vandenberghe, Board members.

Chairman Jones asked if there were other matters to discuss. Paul Nelson said that we need an update on what is being done on the system up the canyon. He said that they are thinking of putting a de-silting device in, and that they are considering two locations, one by the baseball park and one up the canyon where the power plant was. The idea behind the project is to clean the water we are now using. The advantage of having it up above the power plant is having the water pressurized, and the disadvantage is the cost of the pipe to run it that far. Joe said that the Soil Conservation is doing the work for the irrigation companies. He also mentioned that the City has the problem of cleaning under the bridge, and they are also concerned with flood control. He said, too, that the system would be similar to what Summit and Parowan have done, but on a larger scale. Paul said that there is not much difference in price between the larger and smaller proposals. He also said that they are hoping to have the plan in place within a year. Clemont said the State Engineer should be involved, because they plan to change the point of diversion. Johnny Bentley said there would probably have to be an EIS before anything could be done, because they would be drying up Coal Creek.

Jerry Bryant encouraged the water users to look closely at having the reservoirs in place in Fiddlers Canyon and Cross Hollow and to take advantage of all the financial benefits which are available for projects of this type. He said that we need to make a decision as to what agriculture will be like in our area in the next 25 years. He said that the irrigation companies were set up some 27 years ago, and that the needs of agriculture have changed since then. At that time a dam could have been put in the Ashdown Gorge for \$350,000.00, and he asked that the water users not be shortsighted again and lose what we have.

Thelmer said that the wall on the main diversion dam is lower than it used to be, and if we have a flood, there will be a law suit when the water goes over onto the rail road tracks and into Intermountain Farmers basement.

Clemont moved that the meeting adjourn; Gene Roundy seconded; meeting adjourned at 8:10 P.M.